

Made False Statement on Insurance License Application

Myrick violated ORS 744.074(1)(a) in one instance by engaging in the following conduct. On 7/16/02, the Insurance Division received from Myrick an application dated 7/3/02 for a license in Oregon as a nonresident insurance agent. On the application, Myrick answered “No” to question 1 of section 36 which asked “Have you ever been convicted of, or are you currently charged with, committing a crime, whether or not adjudication was withheld?” Myrick’s answer was false and he knew that it was false because on or about 3/28/91 Myrick was convicted by the Clayton Superior Court for the State of Georgia, in the criminal case entitled *State of Georgia v. Charles Lee Myrick*, case number 90-CR-21599-1, of the three crimes of criminal receipt of goods fraudulently received, forgery in the first degree, and financial transaction card fraud.

Agent Not Licensed in Resident State

Myrick is subject to enforcement action pursuant to ORS 744.063(1)(a) in one instance because of the following circumstances. ORS 744.063(1)(a) requires a person licensed in Oregon as a nonresident insurance agent to also be licensed and in good standing in the person’s state of residence as a resident insurance producer. At all relevant times, Myrick was a resident of Georgia. On 10/8/02, the insurance regulator for the State of Georgia issued a notice proposing to revoke Myrick’s Georgia resident insurance agent license because Myrick failed to disclose on his Georgia resident insurance agent license application dated on or about 2/14/97 and again in his license renewal application dated on or about 8/13/02, that Myrick had been convicted of the crimes described above. On 2/13/03, after a hearing, the insurance regulator for the State of Georgia issued an order, number 2002-1137, suspending Myrick’s Georgia resident insurance agent license and assessing Myrick a civil penalty of \$5,000. Therefore, Myrick has not qualified for an Oregon nonresident insurance agent license since 2/13/03.

Enforcement Action by Other State Insurance Regulator

Myrick is subject to enforcement action pursuant to ORS 744.074(1)(i) in three instances because of the following circumstances.

1. On 1/17/03, the insurance regulator for the State of Arizona issued an order, number 02A-213-INS, revoking Myrick's Arizona nonresident insurance agent license. The insurance regulator took the action because Myrick was convicted of the crimes described above, and also failed to disclose such conviction on his Arizona nonresident insurance agent license application dated 12/17/01.

2. On 3/28/03, the insurance regulator for the State of Connecticut issued an order canceling Myrick's Connecticut nonresident insurance agent license. The insurance regulator took the action because Georgia took administrative action against Myrick as described above. The insurance regulator for Connecticut also noted that Myrick failed to disclose on his Connecticut nonresident insurance agent license application that Myrick was convicted of the crimes described above, and that Myrick failed to notify Connecticut of Arizona's action against Myrick as described above.

3. On 5/13/03, the insurance regulator for the State of Kansas issued an order, number 3161-SO, revoking Myrick's Kansas nonresident insurance agent license. The insurance regulator took the action because Myrick failed to notify Kansas that Arizona and Connecticut had taken administrative action against Myrick as described above, and failed to failed to respond to two inquiries by the insurance regulator.

Failed to Report Enforcement Action by Other State Insurance Regulator

Myrick violated ORS 744.089(1) in four instances by engaging in the following conduct. ORS 744.089(1) requires a person licensed in Oregon as an insurance agent to notify the Insurance Division of any administrative action taken against the person, and provide a copy of the order, within 30 days of the final disposition of the action.

1. On 1/17/03, the insurance regulator for the State of Arizona issued an order, number 02A-213-INS, revoking Myrick's Arizona nonresident insurance agent license as described above. The action was finally disposed of on 1/17/03. Thus, Myrick was required to notify the Insurance Division of the action, and provide a

copy of the order, by 2/16/03. Myrick has not notified the Insurance Division of the action or provided a copy of the order.

2. On 2/13/03, the insurance regulator for the State of Georgia issued an order, number 2002-1137, suspending Myrick's Georgia resident insurance agent license and assessing Myrick a civil penalty of \$5,000 as described above. The action was finally disposed of on 2/13/03. Thus, Myrick was required to notify the Insurance Division of the action, and provide a copy of the order, by 3/17/03. Myrick has not notified the Insurance Division of the action or provided a copy of the order.

3. On 3/28/03, the insurance regulator for the State of Connecticut issued an order canceling Myrick's Connecticut nonresident insurance agent license as described above. The action was finally disposed of on 4/28/03. Thus, Myrick was required to notify the Insurance Division of the action, and provide a copy of the order, by 5/28/03. Myrick has not notified the Insurance Division of the action or provided a copy of the order.

4. On 5/15/03, the insurance regulator for the State of Kansas issued an order, number 3161-SO, revoking Myrick's Kansas nonresident insurance agent license as described above. The action was finally disposed of on 6/3/03. Thus, Myrick was required to notify the Insurance Division of the action, and provide a copy of the order, by 7/3/03. Myrick has not notified the Insurance Division of the action or provided a copy of the order.

Order

Pursuant to ORS 744.074(1), the Oregon license as an insurance agent issued to Myrick is revoked on the date of this order.

Notice of Right to Judicial Review

The party has the right to appeal the order to the Oregon Court of Appeals pursuant to ORS 183.480 and 183.482. If a party wants to appeal the order, the party must file a petition for judicial review with the Court of Appeals within 60 days from the date this order was served on the party. If the order was personally delivered to a party, then the date of service is the day the party received the order. If the order was mailed to a party, then the date of service is the day the order was

mailed to the party, not the day the party received the order. If a party does not file a petition for judicial review within the 60-day time period, then the party will lose the right to appeal this order. If a party appeals the order, the party should also send a copy of the petition to the Insurance Division by delivering it to the Labor and Industries Building, 350 Winter Street NE, Room 440 (4th Floor), Salem, Oregon; or mailing it to PO Box 14480, Salem, OR 97309-0405, or faxing it to 503-378-4351; or e-mailing it to mitchel.d.curzon@state.or.us.

Dated March 8, 2004

/s/ Cory Streisinger
Cory Streisinger
Director
Department of Consumer and Business Services

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